

Tuesday, September 01, 2015

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Bruce S. Gibson, Lynn Compton and Chairperson Debbie Arnold

ABSENT: Supervisor Adam Hill

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON DEBBIE ARNOLD.

Consent Agenda – Review and Approval:

1-17. This is the time set for consideration of the Consent Agenda.

Chairperson Arnold: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 17 on the following vote is indicated for each item.

Motion by: Bruce S. Gibson
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			

Items: Set for Hearing:

1. Introduction of Ordinance Amending Building and Construction Ordinance, Title 19 of the County Code, to add new Chapter 9 entitled “Solar” which adds provisions for expedited permitting procedures for small residential rooftop solar energy systems; exempt from CEQA, Hearing date set for September 22, 2015. All Districts.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Administrative Office Items:

2. Request to approve Amendment No. 1 extending the Agreement for Services with Multi Marketing Corp. dba Archer and Hound Advertising two years (July 1, 2015 through June 30, 2017) in the amount of \$465,705 to provide marketing services on behalf of the Cambria Local Area of the San Luis Obispo County Tourism Business Improvement District (CBID). District 2.

The Board approves as recommended by the County Administrative Officer.

3. Request to approve the FY 2015-16 agreement with the Community Action Partnership of San Luis Obispo County in a total amount of \$70,900 for various programs from Fund Center 106 – Contributions to Other Agencies. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

4. Submittal of a resolution recognizing September 24-27 as Sunset "SAVOR the Central Coast" week. All

Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-230, adopted.

5. Submittal of a resolution proclaiming September 2015 as "Childhood Cancer Awareness Month" in San Luis Obispo County. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-231, adopted.

Consent Agenda - District Attorney Items:

6. Submittal of the FY 2013-14 and FY 2014-15 Annual Report of the Real Estate Fraud Prosecution Program as required per Government Code Section 27388(d). All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

7. Request for approval to apply for a one-time State grant of up to \$1,000,000 with the California Health Facilities Financing Authority to build a Crisis Stabilization Unit at the Health Agency Campus. All Districts.

The Board approves as recommended by the County Administrative Officer.

8. Request to approve four renewal agreements for a five year period FY 2015-16 through FY 2019-20 with Dignity Health dba Marian Regional Medical Center-Arroyo Grande, Dignity Health dba French Hospital Medical Center, Sierra Vista Regional Medical Center and Twin Cities Community Hospital to provide hospital services to County Medically Indigent Services Program and County jail inmate patients. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

9. Request to authorize the use of Alternative Publication Procedures for Title 19 Building Code Amendments (Small Residential Rooftop Solar Energy Systems). All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Parks & Recreation Items:

10. Request to authorize: 1) a budget adjustment in the amount of \$70,000 from FC 305- Parks Reserves to FC 230- Capital Projects for two existing Santa Margarita Lake boating facility improvement projects; and 2) a budget adjustment in the amount of \$75,000 from FC 305- Parks Reserves to FC 200- Maintenance Projects for one existing Santa Margarita Lake boating facility improvement project. District 1.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

11. Submittal of bid opening report for the Installation of Traffic Signals, in Nipomo, to award the subject contract to Lee Wilson Electric Co., Inc., the lowest responsible bidder, in the amount of \$573,705. District 4.

The Board approves as recommended by the County Administrative Officer.

12. Request to amend the FY 2015-16 Fixed Asset List for Fund Center 405 – Public Works Internal Service Fund to delete one 3/4 ton utility truck and add a one-ton utility truck with a crane. All Districts.

The Board approves as recommended by the County Administrative Officer.

13. Submittal of bid opening report for FY 2015-16 Asphalt Overlay, Various Roads, Nipomo, to award the subject contract to CalPortland Construction, the lowest responsible bidder, in the amount of \$2,126,179. District 4.

The Board approves as recommended by the County Administrative Officer.

14. Submittal of right of way documents accepting conveyance from Gary D. and Ellen G. Lambert; Glenda K. Siani; Wesley A. and Eileen A. Rice/Richard D. and Carol Anne Rowe, Trustees; and Michael R. and Elizabeth G. Sylvia, for the CSA 10A Cayucos Water Tank Replacement Project, Cayucos. District 2.

The Board approves as recommended by the County Administrative Officer.

15. Request to approve an agreement for professional engineering services with Omni Means, in the amount of \$85,200, to prepare traffic model, and community circulation study for the Templeton Road Improvement Fee areas and authorize the Public Works Director to sign future amendments in an amount not to exceed a contingency of \$8,000; for a total contract amount of \$93,200. District 1.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer.

16. Submittal of a resolution for the acceptance of offers of dedication for Pippin Lane and See Canyon Road. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-232, adopted.

17. Submittal of request to declare selected Public Works vehicles as surplus and authorize disposal through public auction. All Districts.

The Board approves as recommended by the County Administrative Officer.

Presentations

18. Submittal of a resolution proclaiming September 9, 2015 as "Fetal Alcohol Spectrum Disorders Awareness Day" in San Luis Obispo County. All Districts.

Ms. Penny Borenstein – County Health Officer; Ms. Mary Thielscher - Beginnings; and Mr. Jason Reed – Center for Family Strengthening, Vice President: speak.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-233, a resolution of the Board of Supervisors proclaiming September 9, 2015 as Fetal Alcohol Spectrum Disorders Awareness Day, adopted.

Motion by: Bruce S. Gibson
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			

19. Submittal of a resolution recognizing September 2015 as "Watershed Month" and September 26, 2015

as "Creek Day" in San Luis Obispo County. All Districts.

Ms. Kim Porter – Central Coast Partners for Water Quality: speaks.

Chairperson Arnold: opens the floor to public comment.

Mr. Eric Greening: speaks.

RESOLUTION NO. 2015-234, a resolution recognizing September 2015 as "Watershed Month" and September 26, 2015 as "Creek Day" in San Luis Obispo County, adopted.

Motion by: Frank R. Mecham
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			

Public Comment Period:

20. This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

Mr. Eric Greening: speaks to the proposed Laetitia Agricultural Cluster development; and the County’s Agricultural Cluster Ordinance.

Ms. Debra Humphrey - Concerned Citizens of Avila: requests the Board prioritize the Avila Beach Area Plan update.

Mr. Ben DiFatta: discusses various criminal and law enforcement matters.

Dr. C. Hite: addresses housing issues in Los Osos with people on fixed incomes.

Ms. Linde Owen: comments on an article by Supervisor Mecham regarding the County's water problems.

Ms. Jeannette Watson: encourages the use of Diablo Canyon's desalination plant; the development of an inter-agency regional desalination facility; and an integrated regional water management program.

Mr. Gary Kirkland: comments on Consent Agenda Item No. 1; and a French company that builds pipelines to transport excess water to areas that need water. **No action taken.**

Board Business:

21. Thirty-day update on current drought conditions and related management actions for the Board’s review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.

Chairperson Arnold: opens the floor to public comment.

Mr. Eric Greening: speaks.

The Board receives the thirty-day update on current drought conditions and related management actions establishing the need to continue the proclamation of local emergency due to drought conditions in San Luis Obispo County.

Closed Session Items:**22.** The Board announces they will be going into Closed Session regarding:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) North County Watch, et al. v. County of San Luis Obispo, et al (CV 098031); (4) County of San Luis Obispo v. San Luis Obispo Government Attorneys' Union; (5) County of San Luis Obispo v. San Luis Obispo Deputy County Counsel Association; (6) County of San Luis Obispo County Deputy County Counsel's Association, et al. v. County of San Luis Obispo, et al.; (7) Los Osos Community Services District v. Golden State Water Company, et al.;

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (8) San Luis Obispo Government Attorney's Union (SLOGAU); (9) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (10) Deputy County Counsel's Association (DCCA); (11) Sheriffs' Management; (12) San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA); (13) Deputy Sheriff's Association (DSA); (16) District Attorney Investigators' Association (DAIA); (14) San Luis Obispo County Probation Managers' Peace Officers' Association (SLOCPMPOA); (15) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (16) Unrepresented Management and Confidential Employees; and (17) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator Tami Douglas-Schatz concerning the following: Name of employee organization: (18). United Domestic Workers.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code section 54956.8.) It is the intention of the Board to meet in closed session to have a conference with its Real Property Negotiator concerning the following: (19) Property Description: 249 12th Street, Units A and B, San Miguel (APN 021-252-009); Agency Real Property Negotiator: Shauna Dragomir, Real Property Manager; Party with Whom Negotiating: John Haggerty; Instructions to Negotiator: Price, Terms, and Conditions.

(This item is added, per the addendum to the agenda. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (20) Steinbeck Vineyards #1, LLC, et al. v. County of San Luis Obispo, et al. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Chairperson Arnold: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San

Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, September 01, 2015, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

TOMMY GONG, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: September 2, 2015